

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM  AT-RISK AFTER SCHOOL PROGRAMS POLICY & PROCEDURE MANUAL	ISSUED  1/12 db 3/12	REVISED	CHAPTER  8	SECTION  8.9
CHAPTER Chapter 8. The Monitoring Visit		SUBJECT Suspension of Program Participation			

If a state or local health official cites an at-risk after school program for serious health or safety violations, the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) will take immediate action to suspend the center’s participation in the CACFP, and will initiate action to terminate the center’s contract to participate in the CACFP and to disqualify the center, the responsible principals, and the responsible individuals. MDHSS-BCFNA will initiate this action even before any formal action is taken by the state or local health or safety official to revoke the center’s approval. In addition, if MDHSS-BCFNA determines that there is an imminent threat to the health or safety of center participants, or that the center has engaged in activities that threaten the public health or safety, MDHSS-BCFNA will notify the appropriate state or local health authority and take action consistent with the recommendations and requirements of those authorities.

MDHSS-BCFNA will notify the center’s executive director, chairman of the board, the responsible principals and responsible individuals that the center’s participation in the CACFP has been suspended, that the center has been determined to be seriously deficient, and that MDHSS-BCFNA is proposing to terminate the contract and disqualify the responsible principals and responsible individuals. The notice of suspension and proposed termination will include the basis for the serious deficiencies, an explanation that, if the center voluntarily terminates its contract after having been notified of the suspension and proposed termination, the center and the responsible principals and responsible individuals will be disqualified, that the serious deficiency determination is not subject to administrative review, and the procedures for seeking an administrative review. In addition, during the suspension, all payments to the center will be stopped. If the administrative review official overturns the suspension, the center may claim reimbursement for eligible meals served during the suspension period.

When the time for an administrative review expires, or when the Hearing Official upholds MDHSS-BCFNA’s proposed termination and disqualification, MDHSS-BCFNA will notify the center/sponsor’s executive director, chairman of the board, responsible principals and responsible individuals that the contract has been terminated and that the center/sponsor, responsible principals and responsible individuals have been disqualified.

**Suspension Review:** A center or sponsor may request a written review of MDHSS-BCFNA’s proposed suspension. The designated Hearing Official will review the proposed suspension. If the Hearing Official determines that the suspension is not appropriate, MDHSS-BCFNA will be prohibited from suspending the center/sponsor. If the Hearing Official determines that the suspension actions taken by MDHSS-BCFNA are appropriate, the center or sponsor will be suspended from participation in the CACFP beginning on the date the Hearing Official makes the decision. MDHSS-BCFNA will notify the center/sponsor’s executive director, chairman of the board, responsible principals, and responsible individuals that the center’s/sponsor’s participation has been suspended, including program payments, the effective date of the suspension, the procedures for seeking an administrative review, and an explanation that, if the Hearing Official overturns the suspension, the center/sponsor may claim reimbursement for the eligible meals served and the allowable administrative costs incurred during the suspension period.

The suspension of participation may remain in effect no longer than 120 days following the suspension review decision.